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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of

Indiana County Transit Authority  
Licensee of Radio Station WPKP531  
Indiana, Pennsylvania

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File No. EB-11-PA-0238

NOV No. V201232400024

**NOTICE OF VIOLATION**

Released: January 10, 2012

By the District Director, Philadelphia Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's rules<sup>1</sup> to Indiana County Transit Authority ("ICTA"), licensee of Private Land Mobile Station WPKP531.

2. On December 14, 2011, agents of the Enforcement Bureau's Philadelphia Office, responding to an interference complaint, inspected Station WPKP531 and observed the following violations:

- a. 47 C.F.R. § 1.903(a): "Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part, except as specified in paragraph (b) of this section." According to the license for Station WPKP531, ICTA is authorized to operate on the frequency 453.85 MHz in Indiana, Pennsylvania. The agents found the station operating on the frequency 453.825 MHz without authorization.
- b. 47 C.F.R. § 90.425(a): "Except as provided for in paragraphs (d) and (e) of this section, each station or system shall be identified by the transmission of the assigned call sign during each transmission or exchange of transmissions, or once each 15 minutes (30 minutes in the Public Safety Pool) during periods of continuous operation. The call sign shall be transmitted by voice in the English language or by International Morse Code in accordance with paragraph (b) of this section. If the station is employing either analog or digital voice scrambling, or non-voice emission, transmission of the required identification shall be in the unscrambled mode using A3E, F3E or G3E emissions, or International Morse, with all encoding disabled." ICTA failed

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<sup>1</sup> 47 C.F.R. § 1.89

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to transmit the call sign for Station WPKP531 at any time during the one hour period agents monitored the station's transmissions.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Indiana County Transit Authority must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of Indiana County Transit Authority. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
Philadelphia Office  
One Oxford Valley Building, Suite 404  
2300 East Lincoln Highway  
Langhorne, Pennsylvania 19047

4. This Notice shall be sent to Indiana County Transit Authority at its address of record.

5. The Privacy Act of 1974<sup>3</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

David C. Dombrowski  
Acting District Director  
Philadelphia District Office  
Northeast Region  
Enforcement Bureau

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<sup>2</sup> 47 U.S.C. § 308(b).

<sup>3</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>4</sup> 18 U.S.C. § 1001 *et seq.*